The drawings have been objected to in the Office action as failing to show "number 16," and because reference character "number 20" has been used to designate multiple items. The drawings have been amended, as indicated in the attached Amendment of Drawing.

Claims 1, 3, 10, 12, 13 and 17 have been rejected under 35 USC 102(b) as anticipated by Zicker (U.S. Patent No. 5,832,378). The rejection is respectfully traversed.

Zicker discloses a multiple mode, personal, wireless communications system having a radiotelephone network serving general customers. The wireless communications system is capable of supporting multiple, dual mode telephone handsets associated with a pico (i.e. base) station. The system is advantageous because it is able to handle a substantial increase in call traffic. Referring to Figure 1 of Zicker, the relevant portions of the system include cell sites 10a, an antenna 10b which provides radio coverage to the same geographical area as the cell site 10a, control unit 12, an alternate line option module 22, a customer activation system 23, a cable 24, and pico station 26. More specifically, a standard wire-line telephone handset can be interconnected with the house wiring, although it is not required. If selected, the alternate line option module may be omitted from the system with or without an associated pico station. The alternate line option module is therefore an independent device capable of use with any device interfaced with the wiring (see, for example, col. 7, lines 29-45). Each portable handset provided in the system is associated with the pico station 26, and is capable of operation in dual modes under the direction of the pico station 26 and control of a service control unit 12. In a first mode, each portable handset operates as a portable cellular telephone operated through a direct wireless connection to cell 10a. In a second mode, the handset functions as an enhanced cordless telephone supported by the pico station 26. In the

second mode, call delivery can be provided to the public switched telephone network via connection from the pico station 26 through the wired telephone service in the home, in effect using a combination of wireless and PSTN support (see, for example, col. 7, lines 52-65).

The present invention discloses a dual signaling channel telephone which utilizes a conventional wire channel between the subscriber and a central office switch and includes a wireless signaling channel between the subscriber and a central platform. Significantly, the calls are handled on one line (the conventional wire line in the preferred embodiment), and messaging is handled on another line (the wireless line in the preferred embodiment). This feature exemplifies the core of the invention. Zicker, on the other hand, discloses a system whereby communication occurs over either a conventional wire-line or a wireless line. This common feature is referred to as a "dual mode" communication in Zicker. In one mode the handsets function as cellular phones, in another mode they function as enhanced cordless phones. Rather, the present invention requires that both lines are used during communication, one as a call line and the other as a message line. That is, two distinct (i.e. separate) paths are used for calls and messages and may operate during the same communication. Additionally, the message generator in the present invention is operated independently from the telephone system itself. That is, the message generator is not activated based on calls or signals placed with the network. Rather, the messages are generated based on independent factors. The message generator includes, for example, a system to generate messages such email, voicemail, advertisements, etc., and is not used to activate, control or program signal and/or telephone sets on the network. These communications, or messages, are received by the platform and retransmitted via RF through a wireless channel towards the subscribers telephone sets, and are not related to the equipment

control signaling described in Zicker. In Zicker, on the other hand, the message generator (i.e. customer activation system 23) generates signals to control activation and programming of cellular handsets permitted to function on the network.

Since the recites structure and method is not disclosed by the applied prior art, claims 1, 10, 12 and 17 are patentable. Claims 3, 10 and 13, depending therefrom, are similarly patentable.

Claim 2 has been rejected in the Office Action under 35 USC 103(a) as unpatentable over Zicker in view of Gordon (U.S. Patent No. 5,608,786). The rejection is respectfully traversed for the same reasons set forth above with respect to the rejection under 35 USC 102. Gordon is cited by the Examiner as disclosing messages conveyed to the telephone set and include indications, notification or any information content for delivering via voice mail, e-mail, fax and internet. However, Gordon fails to disclose the dual-mode operation as described above and claimed in the present invention.

Claims 4-7, 8, 9 and 14-16 have been rejected under 35 USC 103(a) as unpatentable over Zicker in view of Perry (U.S. Patent No. 6,160,489). The rejection is respectfully traversed for the same reasons set forth above with respect to the rejection under 35 USC 102, and for the following reasons. Perry is cited by the Examiner as disclosing an indicating device. Perry fails to disclose the dual-mode operation as described above and claimed in the present invention.

Since the recited structure and methods are not disclosed by the applied references (either alone or in combination), claims 2, 4-9 and 14-16 are patentable.

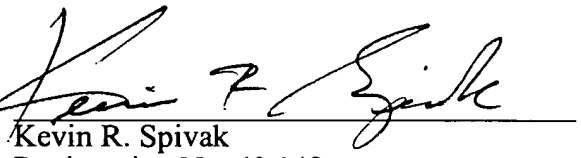
In view of the foregoing claims 1-17 are believed to be in condition for allowance. An indication of the same is earnestly solicited.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made**".

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 459712000100.

Respectfully submitted,

Dated: January 14, 2002

By: 

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## VERSION WITH MARKINGS TO SHOW CHANGES MADE

**In the Claims:**

1. (Amended) A dual signaling channel telephone system, comprising:

a wired signaling channel including a telephone central office[,] and a telephone set to place and receive wire-line telephone calls; and

a wireless signaling channel including a central platform, the central platform receiving [to receive] messages from a message generator independently operated from the telephone system and [to generate] generating a radio frequency signal [activated by said central platform and] to broadcast the messages to a receiver-detector in each telephone set, wherein the messages are not related to control and program signaling of the telephone set.

7. A dual signaling channel telephone system, comprising:

a network receiving messages from message generators;

a central platform broadcasting coded messages over a wireless channel based on the messages generated by the message generators, the message generators operating independently from the telephone system; and

a receiver-detector receiving the coded messages and generating a signal to activate a signaling device [associated] with a telephone operated over a wired channel for communication, wherein

the messages are not related to control and program signaling of the telephone set.

10. A central platform for use in a dual signaling channel telephony network, the central platform comprising:

a first communication processor to receive incoming messages coded in a specified format and transmitted over a wireless channel;

a central processor authenticating relevant portions of the messages; and

a second communications processor sending outgoing messages from the central processor, the outgoing messages including RF addresses for encapsulation and transmission over an RF network, wherein

the messages are not related to control and program signaling of the telephone set.

12. A dual signal channel telephone system for use in a telephony network, comprising:

a receiver to detect incoming RF signals and receive messages when the detected signal is addressed to the receiver; and

an output device to deliver the messages over a wireless channel to [via] the telephone, the telephone communication over a wired channel.

14. A method of delivering messages to a telephone in a dual signaling channel telephone network, comprising:

broadcasting a message in a coded format over a wireless channel having been received from a message generator via the network, the message generator operated independently from the telephone network; and

receiving the message and generating a signal to activate a signaling device [associated] coupled with the telephone in order to alert a user of the telephone that a message is present, the telephone operated over a wired channel for communication.

16. A method of communication over a dual signaling channel telephone system, comprising:

receiving messages from message generators;

broadcasting coded messages over a wireless channel based on the messages generated by the message generators; and

generating a signal [to] based on the coded messages to activate a signaling device [associated] coupled with a telephone, the telephone operated over a wired channel for communication, wherein

the messages are not related to control and program signaling of the telephone.

17. A method of communicating over a network using dual channels, comprising:

receiving incoming messages coded in a specified format over a wireless channel;

authenticating relevant portions of the messages; and

sending outgoing messages from a central processor, the outgoing messages including RF addresses for encapsulation and transmission over the network, wherein the messages are not related to control or program signaling.